

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the period for morning business be extended until 2:30 with the time equally divided, with Senators allowed to speak for 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, with reference to the previously proposed unanimous consent request, I ask unanimous consent that the time be divided equally on the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS

Mr. BINGAMAN. Mr. President, I first want to offer a few comments about the very important birthday of the greatest civil rights leader of our time, Dr. Martin Luther King, and give some thoughts about the issue of civil rights and our commitment to equal opportunities for all Americans.

Obviously, we need to continue to fight to protect the rights of all Americans by supporting and ensuring full implementation of the antidiscrimination laws. But we also need to ensure that programs designed to create equal opportunity for all groups and for all individuals in our society in critical areas such as education and health care are fully implemented.

I believe an important test of our commitment to equality is an examination of the broader policy choices

we make and the priorities we set as we allocate Federal dollars.

We have heard a great deal from the administration, and continue to, about their championing of minorities and the disadvantaged. But, unfortunately, there seems to me to be a pattern of shortchanging the programs and the policy initiatives that are most meaningful to those very groups, at least those groups as I visit with them in my home State.

In the context of education—which the Presiding Officer is extremely well versed in—the administration's position has embraced the Children's Defense Fund slogan, which is: We Should Leave No Child Behind.

Last Congress, on a bipartisan basis, we enacted the No Child Left Behind Act which, for the first time, demands that our educational system demonstrate progress for all children by closing existing achievement gaps. I believe the accountability provisions in that law can have a revolutionary impact on our educational system and can bring us a great distance toward ensuring equal educational opportunities for all children.

But we need to back up these mandates and these requirements by working in partnership with State and local governments to provide the resources the schools and the teachers need to help all of our children to succeed. And I do not believe we have seen a real commitment to do that from this administration.

The pending fiscal year 2003 budget, which we are getting ready to debate, even as soon as this afternoon, underfunds the No Child Left Behind Act by \$7 billion. The President included a small increase from the title I program—the program targeted to districts and schools with large numbers of disadvantaged students—but even with this increase, the program remains underfunded by \$5 billion. The proposed funding level will not be sufficient to keep pace with the growth in child poverty. It will mean over 6 million poor children will be left behind.

In addition, the President's budget zero funds programs that are targeted at assisting minority groups. One of those is the dropout prevention program which we wrote into that law.

The dropout rate for Hispanic students in this country is almost three times that for non-Hispanic white students. Most recent data—1999 through 2000—shows a dropout rate among white non-Hispanic students of 10 percent; among Hispanic students, just over 27 percent. These children are being left behind. Yet despite bipartisan agreement during the negotiations on the No Child Left Behind Act to include this program, to include this initiative at the Federal level, to assist with dropout prevention efforts in our high schools and in our middle schools, the administration has proposed zero funding for the program. They propose zero funding in the 2003 fiscal year budget, which we are going to be debat-

ing later today or tomorrow; and I fear they may propose zero funding for the dropout prevention program in the new budget we see at the beginning of February.

The refusal to fund this program is an even greater problem in light of the new focus on student performance and assessment. The increased focus on assessments has led many to fear dropout rates will increase as States strive to meet their academic performance goals. There is a danger that kids who are not doing well on tests will be the ones most likely to drop out. We tried to address the issue by including a provision in the new law that requires schools to show that increased test scores do not come at the expense of increased dropout rates. But the administration's recent regulations interpreting the new law gut this protection by allowing schools to claim progress even if dropout rates for some groups increase.

If we truly intend to leave no child behind—and I do believe there was good faith in the effort to put this bill together—educational funding, particularly funding for programs such as this I have just discussed that are targeted toward the most disadvantaged children—and this includes a disproportionately large number of minorities—these programs need to be our top priority, not our lowest priority.

We also see misconceived priorities in the area of health care. The Institute of Medicine at the National Academy of Sciences said in a report they issued.

[A] large body of published research reveals that racial and ethnic minorities experience a lower quality of health services, and are less likely to receive even routine medical procedures than are white Americans.

One of the number of recommendations the report made—and has been ignored, thus far, by the administration—is the recommendation to ensure public health care payors—that means Medicaid and the Children's Health Insurance Program, specifically—that the health beneficiaries of those programs are brought to the same level in their benefits as those who get their benefits through the private sector.

In the area of providing coverage to low-income pregnant women, the administration first supported and then turned its back on a bipartisan approach to cover low-income pregnant women with access to the full array of prenatal, delivery, and postpartum care that is typical in the private sector. This bipartisan effort—Senator BOND was very involved in this, as were other Senators on both the Republican side and Democratic side—the bipartisan effort would improve the outcomes of deliveries for both pregnant women and their children, particularly among racial and ethnic minorities who are disproportionately enrolled in these public sector programs.

According to the Centers for Disease Control and Prevention, CDC, African

American women have mortality rates over four times higher than that of non-Hispanic whites. American Indian/Alaska Natives, Asian/Pacific Islanders, and Hispanic women have mortality rates 67 percent, 55 percent, and 41 percent, respectively, that are higher than non-Hispanic whites.

To address this problem, we have pushed to provide States the option to provide comprehensive coverage to pregnant women, including lifesaving postpartum care through the CHIP program. The Bush administration has decided to reject that approach and, instead, proposed a regulation that does not provide comprehensive coverage such as postpartum care to pregnant women. The administration has chosen, instead, to pursue an ideological agenda with respect to women's health and abortion rather than to address this most basic health issue for women and infants.

There are other areas that show a lack of commitment to equal opportunity for Americans. For example, the administration alleges it wants to eliminate poverty through progressive welfare-to-work policies. I heard the President yesterday indicating his desire that people work 40 hours a week. I favor requiring people to work whatever is reasonable, but we have seen great resistance from the administration in our efforts to increase child care funding, which is essential for the mothers we are now requiring to go to work. We need to see that that issue is adequately addressed. And the administration needs to support our efforts to increase child care funding as part of any reauthorization of the welfare legislation.

There has been a lot of discussion in the last few days about the unfairness and inequities in the tax proposal of the administration and how that is clearly skewed to help the wealthy and not to help the average American of whatever racial or ethnic background.

In the area of pension reform, again, minorities are less likely to work for an employer that offers a retirement plan. We need to do something significant to try to expand pension coverage in this country. That is a great failing. Well over half of the private sector employees in my State do not have pension coverage, and that is an issue that needs addressing as much as anything else in the pension area.

To summarize my views, we need to provide equal access to high quality education, equal access to adequate health care, and to child care. We need to support equitable tax policies. That is what is essential if we are going to support equity and equality and really follow through on the rhetoric which we hear related to the birthday of Martin Luther King.

THE UNEMPLOYMENT COMPENSATION ACT

Mr. BINGAMAN. Mr. President, let me also speak to the Unemployment

Compensation Act we passed. Last week, Congress passed important legislation to help nearly 4 million Americans whose eligibility for unemployment insurance benefits expired on the 28th of December.

Three million of these Americans are now entitled to an additional 13 weeks of extended unemployment benefits through the first half of 2003. Another 780,000 will receive the remainder of the original 13 weeks that they were entitled to under the temporary extended unemployment compensation program. This is good news. I, as most of my colleagues, I am sure, announced in my State that this was good news for unemployed workers and we needed to thank the President and thank all who helped to get that done.

The bad news, though, is that this legislation did not help an estimated 1 million Americans who have exhausted their unemployment insurance benefits and are no longer eligible for assistance. The fundamental problem in the United States, in my State of New Mexico as well as other States, is that jobs are being lost and, unfortunately, no new net jobs are being created. The economy is not getting better. It is getting worse.

Americans are caught in a downward economic spiral economically that began 2 years ago. It shows no signs of improvement.

The problem with the legislation we passed this last week is that it simply ignored these million people who do not have jobs today and who likely will not have jobs anytime soon. These are people who have played by the rules, who, through no fault of their own, find themselves without a job. Many of them are trying to get the skills necessary to be able to take another job, but we have cut off any benefit to them.

I believe we need to help these people in a tangible way. Providing extended unemployment benefits in a time of crisis is the least we can do. Unemployment insurance offers, at most, a subsistence level of existence. No one gets rich on unemployment insurance. It seems to me we should be able to offer some financial security to our friends and neighbors when they need it most.

In my home State, I have seen this issue most directly in those who have become unemployed in my home county of Grant County where the copper mine and smelter have essentially shut down. The workers in that mine and smelter have found themselves unemployed. The unfortunate reality is that many of those people lost their jobs before March of this last year. Accordingly, they have run through the 39 weeks of unemployment compensation they could receive, and we have failed to add to that and provide any additional assistance to them.

Back in the early 1990s, we passed a series of bills over a 2-year period specifically designed to help people who had no chance of obtaining jobs until that economy improved. Most Ameri-

cans during that period—this was 10 years ago, when former President Bush was in the White House—were entitled to at least 52 weeks of unemployment insurance coverage. Some Americans in high employment States were entitled to even more.

I don't understand why we are not willing to step up and do that same thing again in this current economic circumstance. In fact, the economic circumstance we find ourselves in today is at least as bad as what we faced in the early 1990s.

We could be using this as an opportunity to retool and make our country stronger economically. Instead, we are pretending the problem does not exist and pretending that these workers will somehow or other fend for themselves. The policy makes no sense to me. I don't think it is good strategy. It is not good economics.

I add my voice to that of other colleagues who spoke last week who argued that we need to do more for those who are out of work. I hope if the economy continues to suffer as it currently is, we will revisit this issue and provide these extended unemployment benefits out to 52 weeks for unemployed Americans.

Offering extended benefits to Americans who have exhausted their unemployment benefits is a step in making this country stronger. I urge that course on my colleagues.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

I ask unanimous consent to proceed for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, reports indicate that the Bush administration intends to submit a brief in the Supreme Court opposing the University of Michigan's use of affirmative action in its admissions policy. This still sends the absolute wrong message about the administration's commitment to civil rights and equal educational opportunity for all Americans. Today is Martin Luther King's birthday, and he would be the first to condemn the shameful hypocrisy of the administration on race.

Affirmative action is critical to providing educational opportunities for qualified minority students. Much of the progress that we have made in this country in reducing the income and employment gaps between minorities and whites is the direct result of affirmative action programs that have provided minority students with access to colleges and universities.

We know that the struggle for equality is not over. Even with affirmative action, there are significant racial disparities in higher education between